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Promotion and protection of the rights of children

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Rights of the Child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 69/157 of 18 December 2014,

Recalling its resolutions 69/158 of 18 December 2014 on protecting children from bullying and 69/187 of 18 December 2014 on migrant children and adolescents, by which the General Assembly recently addressed current and emerging challenges to the rights of children,

Emphasizing that the Convention on the Rights of the Child[1] constitutes the standard in the promotion and protection of the rights of the child, reaffirming that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention[2] and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

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Recalling the International Covenant on Civil and Political Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[3] the Convention on the Rights of Persons with Disabilities,[4] the International Convention for the Protection of All Persons from Enforced Disappearance,[5] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[6] the United Nations Convention against Transnational Organized Crime[7] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[8] and the Convention on the Elimination of All Forms of Discrimination against Women,[9]

Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for all actions concerning children,

Reaffirming also the Vienna Declaration and Programme of Action,[10] the United Nations Millennium Declaration[11] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[12] recalling the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[13] the Declaration on Social Progress and Development,[14] the Universal Declaration on the Eradication of Hunger and Malnutrition,[15] the United Nations Declaration on the Rights of Indigenous Peoples[16] and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[17] United Nations model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, the Declaration on the Right to Development,[18] the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[19] the outcome document, entitled "The future we want" of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,[20] and the outcome document of the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, and recalling also the World Congresses against

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[3] See resolution 2200 A (XXI), annex.
[4] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[5] Resolution 61/177, annex.
[6] United Nations, *Treaty Series*, vol. 2220, No. 39481.
[7] Ibid., vol. 2225, No. 39574.
[8] Ibid., vol. 2237, No. 39574.
[9] Ibid., vol. 1249, No. 20378.
[10] A/CONF.157/24 (Part I), chap. III.
[11] Resolution 55/2.
[12] Resolution S-27/2, annex.
[13] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.
[14] See resolution 2542 (XXIV).
[15] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.
[16] Resolution 61/295, annex.
[17] Resolution 69/2.
[18] Resolution 41/128, annex.
[19] Resolution 62/88.
[20] Resolution 66/288, annex.

Sexual Exploitation of Children and Adolescents, the Global Action Programme on Education for Sustainable Development and the World Education Forum, held in Incheon, Republic of Korea, from 19 to 22 May 2015,

Welcoming the adoption of the outcome document, entitled "Transforming our world: the 2030 Agenda for Sustainable Development" of the Summit for the adoption of the post-2015 development agenda,[21] held from 25 to 27 September 2015, and underscoring the importance of its implementation in ensuring the enjoyment of the rights of the child,

Taking note of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[22] and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 69/157 as well as the report of the Special Representative of the Secretary-General on Violence against Children,[23] the report of the Special Representative of the Secretary-General for Children and Armed Conflict[24] and the report of the Special Rapporteur on the sale of children, child prostitution and child pornography,[25] whose recommendations should be carefully studied, taking fully into account the views of Member States,

Reaffirming that States have the primary responsibility to promote and protect all human rights and fundamental freedoms, including the rights of the child,

Acknowledging the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, in the best interests of the child, and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Noting with appreciation the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, by relevant mandate holders and special procedures of the United Nations and by relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world remains negatively affected by the prolonged effects of the world financial and economic crisis, reaffirming that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, recognizing its impact beyond the socioeconomic context and the intrinsic interlinkage between poverty eradication and the promotion of sustainable development, and in this regard

[21] Resolution 70/1.
[22] A/70/265.
[23] A/70/289.
[24] A/70/162.
[25] A/70/222.

underlining the importance of the implementation of the 2030 Agenda for Sustainable Development,

Profoundly concerned also that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, climate change, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Expressing deep concern that, despite the recognition of the right of the child to express his or her views freely on all matters affecting the child, with his or her views given due weight in accordance with the age and maturity of the child, children are still seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this has yet to be fully realized,

Deeply concerned that children disproportionately suffer the consequences of discrimination, exclusion, inequality and poverty,

Deeply concerned also that more than 6,300,000 children under the age of 5 die each year, mostly from preventable and treatable causes, owing to inadequate or lack of access to integrated and quality maternal, newborn and child health care and services, to early childbearing, as well as to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

Recognizing that a strong focus is needed on poverty, deprivation and inequality to prevent and protect children from violence and to promote the resilience of children, their families and communities,

Recognizing also the large and growing number of migrant children, including those unaccompanied or separated from their parents or primary caregivers, and especially those who find themselves in a vulnerable situation by attempting to cross international borders without the required travel documents,

Taking into special consideration the situation of child refugees and child asylum seekers, in particular those unaccompanied or separated from their parents,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 10 of its resolution 68/147 of 18 December 2013, and welcomes the commemoration of the fifteenth anniversary of the adoption of the Optional Protocols to the Convention on the Rights of the Child on the sale of

children, child prostitution and child pornography and on the involvement of children in armed conflict;[26]

2. *Urges* States that have not yet done so to consider acceding to and ratifying the Convention on the Rights of the Child and the Optional Protocols thereto[2] as a matter of priority and to implement them effectively and fully;

3. *Notes* the entry into force on 14 April 2014 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,[27] and urges States to consider its accession, ratification and implementation;

4. *Welcomes* the increasing number of ratifications of the Convention on the Rights of the Child and the Optional Protocols thereto as a step towards their universal acceptance, and encourages further efforts by the Secretary-General in this regard;

5. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[10]

6. *Welcomes* the work of the Committee on the Rights of the Child, taking into account the adoption of its general comments, and its actions to follow up on its concluding observations on the implementation of the Convention and recommendations, and calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations, observations and general comments on the implementation of the Convention;

7. *Also welcomes* the work of the Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Rapporteur on the sale of children, child prostitution and child pornography, and, in this regard, their contribution to the progress achieved in the promotion and the protection of the rights of children;

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

8. *Reaffirms* paragraphs 11 to 14 of its resolution 68/147, and calls upon States to ensure the enjoyment by all children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

9. *Notes with concern* the large number of children belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee or asylum-seeking children, internally displaced children, and children of indigenous origin who are victims of discrimination, including racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special

[26] United Nations, *Treaty Series*, vols. 2171 and 2173, No. 27531.
[27] Resolution 66/138, annex.

measures, in accordance with the principle of the best interests of the child and respect for his or her views and the child's gender-specific needs, including children with special needs, in education programmes and programmes to combat these practices, and calls upon States to provide special support and to ensure equal access to services for those children;

10. *Urges* all States to respect and promote the right of girls and boys to express themselves freely, and their right to be heard, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them, and to involve children, including children with special needs, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives;

11. *Recognizes* that discrimination against any child on the basis of disability is a violation of the inherent dignity and worth of the child, and expresses grave concern that children with disabilities face violations of their human rights, as well as discriminatory, attitudinal and environmental barriers to their participation and inclusion in society and in the community;

Registration, family relations, adoption and alternative care

12. *Reaffirms* paragraphs 15 to 19 of its resolution 68/147, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in cases of international parental or familial child abduction, encourages States to engage in bilateral and, when appropriate, multilateral cooperation to resolve those cases, and in this regard to consider accession to or ratification of the Hague Convention on the Civil Aspects of International Child Abduction[28] and to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention, while taking into consideration the principle of the best interests of the child;

Economic and social well-being of children

13. *Reaffirms* paragraphs 20 to 29 of its resolution 68/147, calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their commitments in this regard, including the Sustainable Development Goals, and reaffirms that investment in children has high economic and social returns and that all related efforts to ensure that resources allocated and spent for children should serve as an instrument for the fulfilment of children's rights;

14. *Calls upon* all States and the international community to cooperate, support and participate in the global efforts towards poverty eradication by fulfilling their previous commitments in this regard, implementing the 2030 Agenda for Sustainable Development[21] and mobilizing all necessary resources and support in that regard, according to national plans and strategies, including through an integrated and multifaceted approach based on the rights and well-being of children;

[28] United Nations, *Treaty Series*, vol. 1343, No. 22514.

Child labour

15. *Reaffirms* paragraphs 30 to 33 of its resolution 68/147, and urges States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms, by 2025 at the latest;

16. *Urges* all States that have not yet done so to consider ratifying both the Worst Forms of Child Labour Convention, 1999 (No. 182),[29] and the Minimum Age Convention, 1973 (No. 138),[30] of the International Labour Organization;

17. *Recognizes* that poverty and social exclusion, labour mobility, discrimination and lack of adequate social protection and educational opportunity as well as lack of birth registration all influence child labour;

Prevention and elimination of violence against children

18. *Reaffirms* paragraphs 34 to 39 of its resolution 68/147 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007 on the elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 34 of its resolution 68/147 and paragraph 3 of its resolution 69/158 and:

(a) To take effective and appropriate legislative and other measures to prohibit, prevent and eliminate all forms of violence against children in all settings, including harmful practices in all situations, and to strengthen international, national and local cooperation and mutual assistance in this regard;

(b) To ensure the right of all children to live free from violence, including by exercising due diligence, investigating, prosecuting and punishing the perpetrators of violence against all children and ending impunity, and provide protection as well as universal access to comprehensive social, physical and mental health and legal services and counselling for all victims and survivors, to ensure their full recovery and reintegration into society, and to address the structural and underlying causes of violence against all children through enhanced prevention measures, research and strengthened coordination and monitoring and evaluation;

(c) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence, acknowledging that girls and boys face varying risks from different forms of violence at different ages and in different situations;

19. *Reaffirms* that violence against children is never justifiable and that it is the duty of States to protect children, including those in conflict with the law, from all forms of violence and human rights violations and to exercise due diligence to prohibit, prevent and investigate acts of violence against children, eliminate impunity and provide assistance to the victims, including preventing revictimization;

20. *Strongly condemns* the abduction of children, and calls upon all States to take all appropriate measures to secure their unconditional release, rehabilitation and reintegration and their reunification with their families;

[29] Ibid., vol. 2133, No. 37245.
[30] Ibid., vol. 1015, No. 14862.

21. *Notes with appreciation* the adoption of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[31] encourages States to take effective measures for their dissemination and implementation, as appropriate, and invites relevant United Nations actors to support Member States, where appropriate, to this end through concerted efforts;

Promoting and protecting the rights of children, including children in particularly difficult situations

22. *Reaffirms* paragraphs 40 to 48 of its resolution 68/147, and calls upon all States to promote and protect all human rights of all children, to implement evidence-based programmes and measures that provide them with special protection and assistance, including access to health care and inclusive and quality education and social services, to consider implementing voluntary repatriation, reintegration where appropriate and feasible, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are a primary consideration;

23. *Calls upon* all States to ensure, for children belonging to minorities and vulnerable groups, including migrant children and indigenous children, as well as children placed in alternative care and those in the juvenile justice system, the enjoyment of all human rights, as well as access to health care, social services and education, on an equal basis with others and to ensure that all such children, in particular unaccompanied migrant children and those who are victims of violence and exploitation, receive appropriate protection and assistance;

Migrant children

24. *Reaffirms* the need to promote and protect effectively the human rights and fundamental freedoms of all migrant children, regardless of their migration status, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrant children, and avoiding approaches that might aggravate their vulnerability;

25. *Expresses its commitment* to protect the human rights of migrant children, given their vulnerability, particularly unaccompanied migrant children, and to provide for their health, education and psychosocial development, ensuring that the best interests of the child are a primary consideration in policies of integration, return and family reunification;

Children and the administration of justice

26. *Reaffirms* paragraphs 49 to 57 of its resolution 68/147, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

[31] Resolution 69/194, annex.

27. *Encourages* continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and acknowledges in this regard the convening of the World Congress on Juvenile Justice in Geneva from 26 to 30 January 2015;

28. *Encourages* States to develop and implement a comprehensive juvenile justice policy to protect and address the needs of children in contact with the law, with a view to promoting, inter alia, a commitment to improving the quality of education available to children placed in alternative care and in the juvenile justice system, crime prevention programmes, the use of alternative measures, such as diversion, restorative justice and community-based programmes that focus on the rehabilitation and reintegration of the child, and ensuring compliance with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

Prevention and eradication of the sale of children, child prostitution and child pornography

29. *Reaffirms* paragraph 58 of its resolution 68/147, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale and trafficking of children, including for the purposes of removal of organs of the child for profit, child slavery, the sexual exploitation of children, including child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for such purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the rights and needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

Children affected by armed conflict

30. *Reaffirms* paragraphs 59 to 70 of its resolution 68/147, condemns in the strongest terms all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, in recurrent attacks on schools and/or hospitals and related personnel, and in patterns of abduction of children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end and prevent them, and takes note in this regard of the adoption of Security Council resolution 2225 (2015) of 18 June 2015;

31. *Urges* all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with

international humanitarian law, including the Geneva Conventions of 12 August 1949;[32]

32. *Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

33. *Remains deeply concerned*, however, over the lack of progress on the ground in some situations and the deterioration in other situations where parties to armed conflict continue to violate with impunity the relevant provisions of international law applicable to the rights and protection of children in armed conflict;

34. *Expresses its deep concern* about attacks, as well as threats of attacks, in contravention of applicable international law against schools and/or hospitals, and protected persons in relation to them, welcomes the publication of the guidance note on Security Council resolution 1998 (2011) of 12 July 2011 on attacks on schools and hospitals by the Office of the Special Representative for Children and Armed Conflict in collaboration with the United Nations Children's Fund, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, and takes note of the adoption of Security Council resolution 2143 (2014) of 7 March 2014;

35. *Welcomes* in this regard the "Children, not soldiers" campaign initiated by the Special Representative of the Secretary-General for Children and Armed Conflict and the United Nations Children's Fund, in collaboration with other United Nations partners, aimed at ending and preventing the recruitment and use of children by the national security forces concerned by 2016, and requests the Special Representative to report on progress in her next report to the General Assembly;

III
Children's right to education

36. *Reaffirms* the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights,[33] the International Covenant on Economic, Social and Cultural Rights,[3] the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[9] the International Convention on the Elimination of All Forms of Racial Discrimination,[34] the International Convention on the Rights of Migrant Workers and Members of Their Families,[35] the Convention on the Rights of Persons with Disabilities,[4] and other relevant international instruments;

37. *Welcomes* the attention paid to the right to education of children by the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights and all relevant special procedures mandate holders, in particular the

[32] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[33] Resolution 217 A (III).
[34] United Nations, *Treaty Series*, vol. 660, No. 9464.
[35] Resolution 45/158.

Special Rapporteur on the right to education, the human rights treaty bodies and the operational activities of the United Nations system on the issue;

38. *Reaffirms* that education is a fundamental human right, a basis for guaranteeing the realization of other human rights and essential for sustainable development, the promotion of peace and tolerance, as well as key to achieving full employment and poverty eradication;

39. *Underlines* that full access to inclusive and equitable quality education and the promotion of lifelong learning at all levels is an essential precondition for achieving sustainable development and for the full realization of the right to education, and in this regard, stresses the need to achieve the Sustainable Development Goals related to education;

40. *Expresses its dismay* at the aggravation of attacks, including terrorist attacks, on educational institutions as such, their students and staff, recognizes the grave impact that such attacks have on the full realization of the right to education, in particular of women and girls, and reiterates its condemnation in the strongest terms of all such attacks;

41. *Expresses its deep concern* about the persistence of the gender gap in education, which is reflected by the fact that, according to the United Nations Educational, Scientific and Cultural Organization, nearly two thirds of the world's non-literate adults are women;

42. *Notes* that evidence has shown that the States that have made the biggest investments in education are those that have received the highest gains;

43. *Recognizes* that the children's right to education can be severely hampered as a result of physical, psychological and sexual violence, as well as bullying, both in school and on the way to school, as well as online, which compromises learning outcomes and may lead to school dropout;

44. *Also recognizes* that a large portion of the world's children out of school live in conflict-affected areas and in natural-disaster-stricken regions and that this is a serious challenge to the realization of all the rights of the child as well as the fulfilment of international commitments on education, reaffirms the State's obligation to ensure that children continue to fully enjoy their human rights, including the human right to education, during conflict and post-conflict periods and in other emergency situations, and stresses in that context the importance of ensuring that children continue to have access to basic services in all such situations;

45. *Expresses its deep concern* about the growing number of attacks, as well as threats of attacks, in contravention of applicable international humanitarian law, against schools, recognizes the grave impact of such attacks on the safety of children and teachers and on the full realization of the right to education, expresses its concern that the military use of schools in contravention of applicable international humanitarian law may also affect the safety of children and teachers and children's right to education, and encourages all States to strengthen efforts to prevent the military use of schools in contravention of applicable international humanitarian law;

46. *Calls upon* all States to give full effect to the right to education for all children and in particular:

(a) To eliminate gender disparities in education and to ensure effective and equal access to inclusive and equitable quality education at all levels for all children without discrimination of any kind, particularly the vulnerable, including indigenous children, children with disabilities and children in vulnerable or marginalized situations;

(b) To make primary education available, free and compulsory for all children;

(c) To take all appropriate measures to eliminate obstacles to effectively accessing and completing education, such as the cost of education, hunger and poor nutrition, distance from home to school, armed conflict, all forms of violence at school, insufficient infrastructure including lack of access to water and sanitation, lack of adequate and physically and otherwise accessible schooling facilities for girls, child labour or heavy domestic work, and ensure that children who are institutionalized also enjoy their right to education;

(d) To take all measures, including sufficient budgetary allocations, necessary to ensure inclusive, equitable and non-discriminatory quality education and to promote learning opportunities for all children;

(e) To take all appropriate measures to eliminate discrimination against girls in the field of education and to ensure equal access for all girls to all levels of education, including by affirmative action, improving the safety of girls on the way to and from school, ensuring that all schools are accessible, safe, secure and free from violence, providing separate and adequate sanitation facilities that provide privacy and dignity, thereby contributing to achieving equal opportunity and combating exclusion and ensuring school attendance, in particular for girls and children from low-income families, children who become heads of households and girls who are already married or pregnant;

(f) To promote the development of gender-sensitive curricula for educational programmes at all levels and to take concrete measures to ensure that educational materials portray women and men, youth, girls and boys in positive and non-stereotypical roles, including in the teaching of scientific and technological subjects;

(g) To develop training programmes and materials for teachers and educators that promote equality, cooperation, mutual respect and shared responsibilities between girls and boys from preschool level onward;

(h) To adopt all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and human rights by taking all appropriate legislative, administrative, social and educational measures, in accordance with the best interest of the child, to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse in schools, and in this context to take measures to promote non-violent forms of discipline in schools;

(i) To establish child-friendly and confidential counselling, complaints and reporting mechanisms to address incidents of violence against children in schools or on the way to or from school, and support the rehabilitation of child victims, as well as for the promotion of training and guidance for teachers and school staff to detect and report cases of violence against children to the relevant authorities;

(j) To prevent and protect children from bullying, including cyberbullying and other online risks, by generating statistical information and promptly and adequately responding to such acts, providing appropriate support to children affected by and involved in bullying, recognizing the important role that schools can play in preventing and responding to these incidents and in promoting online safety, through close collaboration between teachers, parents, communities, the private sector, civil society, non-governmental organizations and children themselves;

(k) To strengthen the role of education, including human rights education, as the most effective means of promoting tolerance, in preventing the spread of extremism by instilling respect for life and promoting the practice of non-violence, moderation, dialogue and cooperation, calling upon all States, the specialized agencies of the United Nations system and intergovernmental and non-governmental organizations to contribute actively to this endeavour by, inter alia, placing emphasis on civic education and life skills as well as democratic principles and practices at all levels of formal, informal and non-formal education;

(l) To take the measures necessary to protect schools from attacks and protected persons in relation to them and in situations of armed conflict and to refrain from actions that impede children's access to education;

(m) To ensure, as primary duty-bearers, the realization of the right to education in all phases of emergency situations and to implement strategies and policies in this regard as an integral element of humanitarian assistance and humanitarian response, to the maximum of their available resources, with the support of the international community, the United Nations system, donors, multilateral agencies, the private sector, civil society and non-governmental organizations;

(n) To ensure inclusive quality education, including by strengthening inputs, processes and evaluation of learning outcomes and mechanisms to measure and monitor progress, including by collecting disaggregated data, as well as by ensuring that teachers and educators are empowered, adequately recruited, well-trained, qualified, motivated and well supported with well-resourced, efficient and effectively governed systems, recognizing the importance of regional and international cooperation in this regard;

(o) To further ensure relevant and effective learning outcomes and ensure the acquisition of the foundational skills of literacy and numeracy, as well as analytical, problem-solving and other high-level cognitive, interpersonal and social skills;

(p) To ensure that all girls and boys have access to quality early childhood development, care and pre-primary education;

(q) To take specific measures to respect, protect, promote and fulfil the right of the child to engage in play and recreational activities, in particular by promoting the provision of a school curriculum that allows for sufficient opportunity for play and recreational activities, including physical education and sport;

(r) To integrate human rights education and training, education for democracy, along with civic education and education for sustainable development, into national education standards and in this regard to develop and strengthen national and subnational programmes, curricular and extracurricular educational activities and to implement, as appropriate, the Global Action Programme on Education for Sustainable Development;

(s) To adopt legislative and other appropriate measures with a view to realizing the right to education for children with disabilities, on the basis of equal opportunity, and to ensure an inclusive education system at all levels that provides reasonable accommodation of the child's needs, along with the required effective individualized support measures in environments to maximize academic and social development, within the general education system, and consistent with the goal of full inclusion, which facilitates effective education;

(t) Calls upon States to take all appropriate measures to safeguard the realization of the right to education for indigenous children, including their access to quality education, on the basis of equal opportunity, in a manner conducive to their fullest possible social inclusion and individual development, including through the provision of compulsory primary education that is available free to all and, when possible, is provided in their own language, and to take all appropriate measures to make all other levels and all forms of education available and accessible to indigenous children without discrimination;

(u) To develop and implement educational programmes and teaching materials, including comprehensive evidence-based education on human sexuality, based on full and accurate information, for all adolescents and youth, in a manner consistent with their evolving capacities, with appropriate direction and guidance from parents and legal guardians, with the active involvement of all relevant stakeholders, in order to modify the social and cultural patterns of conduct of men and women of all ages, to eliminate prejudices and to promote and build decision-making, communication and risk reduction skills for the development of respectful relationships based on gender equality and human rights, as well as teacher education and training programmes for both formal and non-formal education;

(v) To measure progress in the realization of the right to education, such as by developing national indicators as an important tool for the realization of the right to education and for policy formulation, impact assessment and transparency;

47. *Urges* all States and all relevant stakeholders to give high priority to the implementation of the 2030 Agenda for Sustainable Development, particularly the education-related Sustainable Development Goal and targets;

IV
Follow-up

48. *Expresses its support* for the work of the Special Representative of the Secretary-General on Violence against Children, and recognizes the progress achieved since the establishment of her mandate in promoting the prevention and elimination of all forms of violence against children in all regions and in advancing the implementation of the recommendations of the United Nations study on violence against children,[36] including through her regional and thematic consultations and field missions, and thematic reports addressing emerging concerns;

49. *Recommends* that the Secretary-General extend the mandate of the Special Representative on Violence against Children, as established in paragraphs 58 and 59 of its resolution 62/141, for a further three years, and maintain support for

[36] A/61/299.

the effective and independent performance and the sustainability of the mandate of the Special Representative, funded from the regular budget;

50. *Urges* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children in promoting further implementation of the recommendations of the United Nations study on violence against children, and encourages States to provide support, including adequate voluntary financial support, to the Special Representative, for the continued, effective and independent performance of her mandate, and invites the private sector to provide voluntary contributions for that purpose;

51. *Requests* the Secretary-General to submit to the General Assembly at its seventy-first session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on migrant children;

52. *Requests* the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

53. *Requests* the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, consistent with paragraphs 58 and 59 of its resolution 62/141, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

54. *Requests* the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the sale of children, child prostitution and child pornography agenda;

55. *Invites* the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and engage in an interactive dialogue with the General Assembly at its seventy-first session as a way to enhance communication between the Assembly and the Committee;

56. *Decides* to continue its consideration of the question at its seventy-first session under the item entitled "Promotion and protection of the rights of children", focusing on section III of the resolution entitled "Rights of the child" on the theme "Migrant children".

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Seventieth session
Third Committee
Agenda item 68 (a)
Promotion and protection of the rights of children

Algeria, Antigua and Barbuda, Botswana* and Tunisia: draft resolution

The girl child

The General Assembly,

Reaffirming its resolution 68/146 of 18 December 2013 and all relevant resolutions on the girl child, and recalling its resolution 66/170 of 19 December 2011 on the International Day of the Girl Child and the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Recalling all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities,[3] the Optional Protocols thereto[4] and the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[5]

Welcoming the adoption of the Sustainable Development Goals, contained in the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[6] and reaffirming other internationally agreed development goals and commitments relevant to the girl child,

Reaffirming all relevant outcomes of major United Nations summits and conferences relevant to the girl child, including the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A

* On behalf of the States Members of the United Nations that are members of the Southern African Development Community.

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vol. 1249, No. 20378.

[3] Ibid., vol. 2515, No. 44910.

[4] Ibid., vols. 2171 and 2173, No. 27531 and resolution 66/138, annex; United Nations, *Treaty Series*, vol. 2131, No. 20378; and ibid., vol. 2518, No. 44910.

[5] Ibid., vol. 521, No. 7525.

[6] Resolution 70/1.

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world fit for children",[7] the Beijing Declaration[8] and Platform for Action,[9] the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[10] the Programme of Action of the International Conference on Population and Development,[11] the Programme of Action of the World Summit for Social Development,[12] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[13] and the Political Declarations on HIV/AIDS adopted by the high-level meetings of the General Assembly in 2006[14] and 2011,[15] and reiterating that their full and effective implementation is essential to achieving the internationally agreed development goals, including the Sustainable Development Goals,

Recognizing that chronic poverty remains one of the biggest obstacles to meeting the needs and promoting and protecting the rights of children, including the girl child, and that poverty continues to impede access to clean water, sanitation and hygiene for children,

Recognizing also that urgent national and international action is required to eliminate poverty, in particular extreme poverty, and noting that the ongoing effects of the global financial and economic crisis, volatile energy and food prices and continuing food insecurity as a result of various factors are felt directly by households, especially those headed by girls,

Recognizing further that social protection, education, adequate health care, nutrition, full access to safe water, sanitation and hygiene, skills development and combating discrimination and violence against girls, inter alia, are all necessary for the empowerment of the girl child, and recalling the importance of mainstreaming a gender perspective across the United Nations system in relation to the girl child,

Deeply concerned about the serious social problem of child-headed households, in particular those headed by girls, and that the impact of the HIV and AIDS epidemic, including illness and mortality, the erosion of the extended family, the exacerbation of poverty, unemployment and underemployment and migration, as well as urbanization, have contributed to the increase in the number of child-headed households,

Recognizing that child-headed households may result from the death of parents and/or legal guardians and other economic, social and political realities, that children can become de facto heads of households owing to parental illness, whether physical or mental, parental neglect or the migration of parents, and that a

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[7] Resolution S-27/2, annex.

[8] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[9] Ibid., annex II.

[10] Resolution S-23/2, annex, and resolution S-23/3, annex.

[11] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[12] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[13] Resolution S-26/2, annex.

[14] Resolution 60/262, annex.

[15] Resolution 65/277, annex.

comprehensive approach to these problems is needed to resolve the issue of child-headed households,

Deeply concerned about the extreme vulnerability of children who are heads of households and those raised in child-headed households, particularly girls, who suffer from the lack of adult support, may be particularly vulnerable to poverty, mental and psychosocial trauma and physical vulnerability and may be exceptionally negatively affected by the economic and care burdens placed on them at a young age, which in turn may lead to their having difficulty completing their education and increase their vulnerability to poverty, discrimination, trafficking and physical abuse,

Deeply concerned also that, in situations of poverty, armed conflict, natural disasters, disease outbreaks and other humanitarian emergencies, the incidence of child-headed households increases and makes the girl child particularly vulnerable to poverty, physical and sexual violence and abuse, and discrimination, thus limiting her potential for full development,

Deeply concerned further about the lack of recent information and statistics on the status of child-headed households and the inadequate reporting on the implementation of resolution 68/146 regarding child-headed households,

Recognizing that women and girls are more vulnerable to HIV infection and that they bear a disproportionate burden of the impact of the HIV and AIDS epidemic, including the care of and support for those living with and affected by HIV and AIDS, and that this negatively affects girls by depriving them of their childhood and diminishing their opportunities to receive an education, often resulting in their having to head households and increasing their vulnerability to the worst forms of child labour and to sexual exploitation,

Noting with concern that millions of girls are engaged in child labour, including children who have been victims of trafficking in persons, and that many of them face the double burden of having to combine economic activities with domestic chores, which deprive them of their childhood and diminish their opportunities to benefit from education and decent employment in the future,

Recognizing that girl children are often at greater risk of being exposed to and encountering various forms of discrimination and violence and forced labour, which may hinder efforts towards the achievement of the Sustainable Development Goals, and reaffirming the need to achieve gender equality to ensure a just and equitable world for girls, including by partnering with men and boys, as an important strategy for advancing the rights of the girl child,

Recognizing also that the empowerment of and investment in girls, which are critical for economic growth, and the achievement of all Sustainable Development Goals, including the eradication of poverty and extreme poverty, as well as the meaningful participation of girls in decisions that affect them, are key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and that empowering girls requires their active participation in decision-making processes and the active support and engagement of their parents, legal guardians, families and care providers, boys and men, as well as the wider community,

Deeply concerned about all forms of violence against children, in particular the phenomena that disproportionately affect girls, such as commercial sexual exploitation and child pornography, rape, sexual abuse, domestic violence and trafficking in persons, and, in addition, about the corresponding lack of accountability and impunity, and that violence against women and girls is underrecognized and underreported, particularly at the community level, which reflects discriminatory norms that reinforce the lower status of girls in society,

Deeply concerned also about discrimination against and violations of the rights of the girl child, including girls with disabilities, which often result in less access for girls to education, and to quality education, nutrition, including food allocation, and physical and mental health-care services, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and violence, abuse, rape, incest, honour-related crimes and harmful practices, such as female infanticide, child, early and forced marriage, prenatal sex selection and female genital mutilation,

Deeply concerned further that, despite its widespread practice, child, early and forced marriage is still underreported, recognizing that this requires further attention and that child, early and forced marriage exposes the girl child to greater risk of HIV and sexually transmitted infections, often leads to premature sexual relations, early pregnancy and early childbearing and increases the risk of obstetric fistula and high levels of maternal mortality and morbidity, and furthermore entails complications during pregnancy and childbirth, which often lead to disability, stillbirth and maternal death, particularly for young women and girls, and which require appropriate prenatal and postnatal health-care services for mothers, including in the area of skilled birth attendance and emergency obstetric care, and noting with concern that this reduces girls' opportunities to complete their education, gain comprehensive knowledge, participate in the community or develop employable skills, is likely to have a long-term adverse impact on their employment opportunities and their and their children's quality of life and violates and impairs the full enjoyment of their human rights,

Stressing the need for the international community, the relevant United Nations entities, the specialized agencies, civil society and international financial institutions to continue to actively support, through the allocation of enhanced financial resources and technical assistance, targeted comprehensive programmes that address the needs and priorities of child-headed households and the water, sanitation and hygiene needs of the girl child,

Emphasizing that increased access to education for young people, especially adolescent girls, including in the areas of sexual and reproductive health, as well as health care, hygiene and sanitation, dramatically lowers their vulnerability to preventable diseases and infections, in particular HIV and other sexually transmitted infections,

1. *Stresses* the need for the full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing and ratifying or acceding to the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against

Women,[2] the Convention on the Rights of Persons with Disabilities[3] and the Optional Protocols thereto[4] as a matter of priority;

2. *Urges* all States that have not yet ratified or acceded to the Minimum Age Convention, 1973 (No. 138),[16] and the Worst Forms of Child Labour Convention, 1999 (No. 182),[17] of the International Labour Organization to consider doing so;

3. *Urges* States to improve the situation of girl children living in poverty, in particular extreme poverty, deprived of nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, including security of person, taking into account that, while a severe lack of goods and services hurts every human being, it is particularly threatening and harmful to the girl child and is further exacerbated by living in a child-headed household, leaving her unable to enjoy her rights, to reach her full potential and to participate as a full member of society;

4. *Calls upon* States and the international community to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children and ensuring that all children have access to education of good quality, as well as making secondary and tertiary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, improving the safety of girls on the way to and from school, ensuring that all schools are accessible, safe, secure and free from violence and providing hygienic, separate and adequate sanitation facilities contribute to achieving equal opportunity and combating exclusion and ensuring school attendance, in particular for girls and children from low-income families and children who become heads of households;

5. *Calls upon* all States to place enhanced emphasis on quality education, including communications and technology education, where available, for the girl child, including catch-up and literacy education for those who did not receive formal education, and special initiatives for keeping girls in school through post-primary education, including those who are married or pregnant, to promote access to skills and entrepreneurship training for young women and to tackle male and female stereotypes in order to ensure that young women entering the labour market have opportunities to obtain full and productive employment, equitable compensation and decent work;

6. *Calls upon* States, with the support of international organizations, civil society and non-governmental organizations, as appropriate, to develop policies and programmes, giving priority to formal, informal and non-formal education programmes, including age-appropriate sex education, with appropriate direction and guidance from parents and legal guardians, that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives, and to place special focus on programmes to educate women and men, especially parents, about the importance of girls' physical and mental health and well-being;

7. *Urges* States to acknowledge the different needs of girls and boys during their childhood and adolescence and, as appropriate, to make differential

[16] United Nations, *Treaty Series*, vol. 1015, No. 14862.
[17] Ibid., vol. 2133, No. 37245.

investments that are responsive to their changing needs, in particular ensuring that girls have access to safe water, sanitation, hygiene and feminine hygiene products, as well as private toilet facilities, including feminine hygiene product disposal facilities, in educational institutions and other public spaces;

8. *Also urges* States to strengthen efforts to urgently eradicate all forms of discrimination against women and girls, and calls upon all States, the United Nations system and civil society to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[9] as contained in paragraph 33 of the further actions and initiatives, including reviewing remaining laws that discriminate against women and girls in order to modify or abolish them and, where appropriate, strengthening national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, including ensuring the imposition of tougher penalties for crimes of sexual violence committed against the girl child, and to mobilize all resources and support necessary to achieve those goals;

9. *Further urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work and equal payment and remuneration for work of equal value, are protected from economic and sexual exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and urges States to develop gender-sensitive measures, including national action plans, where appropriate, to eliminate the worst forms of child labour, commercial sexual exploitation, hazardous forms of child labour, trafficking and slavery-like practices, including forced and bonded labour, and to recognize that girls, including in child-headed households, face greater risks in this regard;

10. *Calls upon* States, with the support of relevant stakeholders, including the private sector, civil society, non-governmental organizations and community-based organizations, as appropriate, to take all measures necessary to ensure the right of girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and to develop sustainable health systems, strengthen existing ones to ensure primary health care with an integrated HIV response and make them more accessible to adolescent girls;

11. *Urges* all States to develop programmes that promote gender equality and equal access to basic social services, such as education, nutrition, water and sanitation, birth registration, health care, vaccinations and protection from diseases representing the major causes of mortality, including non-communicable diseases, and to mainstream a gender perspective into all development policies and programmes, including those specific to the girl child;

12. *Calls upon* States to strengthen the capacity of national health systems, and in this regard calls upon the international community to assist national efforts, including by allocating adequate resources in order to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and postnatal care, skilled birth attendance, emergency obstetric care and post-partum care, to

adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

13. *Urges* all States to enact and strictly enforce laws ending child, early and forced marriage and ensure that marriage is entered into only with the informed, free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, to raise the minimum age for marriage, engage all stakeholders, where necessary, and ensure that these laws to end child, early and forced marriage are well known, to further develop and implement comprehensive policies, plans of action and programmes that end the practice of child, early and forced marriage and ensure the provision of viable alternatives and institutional support, especially educational opportunities for girls, to ensure the survival, protection, development and advancement of the girl child in order to promote and protect the full enjoyment of her human rights, and to ensure equal opportunities for girls, including by making such plans an integral part of her total development process;

14. *Deeply regrets* that the report of the Secretary-General on the implementation of resolution 68/146[18] did not contain any information on the implementation of the priority theme of that resolution, namely the situation of child-headed households;

15. *Urges* States to ensure that the rights of children in child-headed households are respected, that the heads of such households exercise all the rights of the child and that children in such households, particularly girls, receive the support that they need to ensure their continued attendance at school consistent with their age;

16. *Also urges* States to ensure that efforts to enact and implement legislation to protect, support and empower child-headed households, in particular those headed by girls, include provisions to ensure their economic well-being, including protecting their property and inheritance rights, access to health-care services, nutrition, clean water and sanitation, shelter and education, and inheritance, and that the family is protected and assisted to stay together;

17. *Further urges* States to forge partnerships with relevant stakeholders, particularly by working with and involving communities in developing programmes and mechanisms designed to ensure the safety, personal security and protection, as well as empowerment, of children, especially girls, in child-headed households and that they receive the support that they need from their communities;

18. *Calls upon* States to strengthen research on families and household formation and structure, with a particular emphasis on the existence of de facto child-headed households and the long-term economic and psychological impact that being a child head of a household or a child raised by another child has on the children and on social sustainability;

19. *Also calls upon* States to strengthen research, data collection and analysis on the girl child, disaggregated by household structure, sex, age, disability status, economic situation, marital status and geographical location, in order to provide a better understanding of the situations of girls, especially of the multiple forms of discrimination that they face, and to inform the development of necessary policies

[18] A/70/267.

and programme responses, which should take a holistic, age-appropriate approach to addressing the full range of the forms of discrimination that girls may face, in order to protect their rights effectively;

20. *Urges* States to take all measures necessary to ensure the full enjoyment by girls with disabilities of all human rights and fundamental freedoms on an equal basis with other children and to adopt, implement and strengthen appropriate policies and programmes designed to address their needs;

21. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence, discrimination and exploitation in all settings, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour and child, early and forced marriage, and to develop age-appropriate safe, confidential and disability-accessible programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

22. *Calls upon* all States to enact and enforce the necessary legislative or other measures, in cooperation with relevant stakeholders, including the private sector and the media, to prevent the distribution over the Internet of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of such material and that its creators, distributors and collectors are prosecuted, as appropriate;

23. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should have dedicated resources, be widely disseminated and provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs on violence against women, its causes and consequences, and on trafficking in persons, especially women and children, and of the Special Representative of the Secretary-General on Violence against Children;

24. *Also urges* States to ensure that children who are capable of forming their own views have the right to express those views freely in all matters affecting them, with the views of the child being given due weight in accordance with the age and maturity of the child, to ensure that this right is fully and equally enjoyed by the girl child, to involve girl children, including those with special needs, as well as girls with disabilities, and their representative organizations in decision-making processes, as appropriate, and to include them as full partners in identifying their own needs and in developing, planning, implementing and assessing policies and programmes to meet those needs;

25. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with or affected by HIV and AIDS, and children who are incarcerated or who live without parental support, and therefore urges States, with the support of the international community, where relevant, to take appropriate

measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their safety, enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

26. *Urges* all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations and in natural disasters, as well as in other humanitarian emergencies, all of which may result in the creation of child-headed households, and urges States to take special measures for the protection of girls in all phases of humanitarian emergencies, from relief to recovery, and in particular to ensure that children have access to basic services, including water and sanitation, to protect them from sexually transmitted infections, including HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction, trafficking and forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in disarmament, demobilization, rehabilitation assistance and reintegration processes;

27. *Deplores* all acts of sexual exploitation, abuse of and trafficking in women and children, including in humanitarian crises and by humanitarian workers and peacekeepers and military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;[19]

28. *Calls upon* Member States to devise, enforce and strengthen effective child- and youth-sensitive measures to combat, eliminate and prosecute all forms of trafficking in women and girls, including for sexual and economic exploitation, as part of a comprehensive anti-trafficking strategy within wider efforts to eliminate all forms of violence against women and girls, including by taking effective measures against the criminalization of girls who are victims of exploitation and ensuring that girls who have been exploited receive access to the necessary psychosocial support, and in this regard urges Member States, the United Nations and other international, regional and subregional organizations, as well as civil society, including non-governmental organizations, the private sector and the media, to fully and effectively implement the relevant provisions of the United Nations Global Plan of Action to Combat Trafficking in Persons[20] and the activities outlined therein;

29. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate and gender-sensitive

[19] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

[20] Resolution 64/293.

information material on those rights to all sectors of society, in particular to children;

30. *Requests* the Secretary-General, as Chair of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the World Health Organization, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

31. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

32. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV and AIDS prevention, treatment, care and support, particular attention and support are given to the girl child at risk, living with or affected by HIV, including pregnant girls and young and adolescent mothers and girls with disabilities, and child heads of households, with a view to achieving Sustainable Development Goal 3, in particular the target of ending the AIDS epidemic by 2030;

33. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

34. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food requirements for an active and healthy life;

35. *Calls upon* States to ensure that social protection programmes, including HIV-sensitive programmes, are provided to orphans and other vulnerable children, with particular attention to addressing the needs and vulnerabilities of girl children, ensuring school attendance and protecting their rights;

36. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, so as to enable young people, especially girls, to gain the knowledge, attitudes and life skills that they need to fulfil their economic and other potential and overcome their challenges, including

the prevention of HIV infection and early pregnancy, and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health;

37. *Urges* States, the international community, relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of financial resources and technical assistance, efforts to address the situation of child-headed households;

38. *Strongly calls upon* States and the international community to create an environment in which the well-being of the girl child is ensured, inter alia, by cooperating, supporting and participating in global efforts towards the full and timely realization of the Sustainable Development Goals as set out in the 2030 Agenda for Sustainable Development[6] and of all other relevant internationally agreed development goals, in particular the eradication of poverty at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels in this regard, and reaffirming that investment in children, particularly girls, and the realization of their rights are among the most effective ways to eradicate poverty;

39. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-second session on the implementation of the present resolution, including a status analysis of improvements in the social, economic and political investments made by Member States towards fulfilling the right to education of the girl child, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child;

40. *Also requests* the Secretary-General to include in his report to the General Assembly at its seventy-second session under this agenda item a report on the implementation of the provisions of resolution 68/146 relating to the priority theme of child-headed households and a status update on the situation and prevalence of child-headed households globally.

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Seventieth session
Third Committee
Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Algeria, Antigua and Barbuda, Belarus, Bolivia (Plurinational State of), Chad, Cuba, Democratic People's Republic of Korea, Ecuador, Nicaragua, Pakistan, Sri Lanka, Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Viet Nam: draft resolution

Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 69/178 of 18 December 2014, and Human Rights Council resolutions 18/6 of 29 September 2011[1] and 25/15 of 27 March 2014,[2]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and with full respect for, inter alia, sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II.
[2] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.

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Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[3] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Concerned about the continued abuse by Member States of the extraterritorial application of their national legislation in a manner that affects the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the full enjoyment of human rights,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

[3] Resolution 217 A (III).

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures at the global level that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of, technology transfer to and capacity-building in developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Recalling Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council of 18 June 2007,[4] and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

[4] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

Emphasizing the importance of a global and inclusive post-2015 development agenda for the promotion of a democratic and equitable international order,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Takes note* of the report of the Independent Expert on the promotion of a democratic and equitable international order,[5] and notes in this regard its focus on the adverse human rights impact of international investment agreements, bilateral investment treaties and multilateral free trade agreements on the international order;

4. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity,[6] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

5. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

6. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

[5] A/70/285.

[6] See A/CONF.189/12 and Corr.1, chap. I.

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, which should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms for all;

9. *Reaffirms*, among other principles, the sovereign equality of States, non-intervention and non-interference in internal affairs;

10. *Urges* all actors on the international scene to build an international order based on inclusion, social justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

12. *Underlines* that attempts to overthrow legitimate governments by force disrupt the democratic and constitutional order, the legitimate exercise of power and the full enjoyment of human rights;

13. *Reaffirms* the need to continue working urgently for the establishment of a new international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations, in accordance with relevant previous General Assembly resolutions, programmes of action and major conferences and summits in the economic, social and related areas;

14. *Also reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

15. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

16. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Independent Expert;

17. *Calls upon* all Governments to cooperate with and assist the Independent Expert in his task, to supply all necessary information requested by him and to consider responding favourably to the requests of the Independent Expert to visit their countries to enable him to fulfil his mandate more effectively;

18. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

19. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

20. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

21. *Requests* the Independent Expert to submit to the General Assembly at its seventy-first session an interim report on the implementation of the present resolution and to continue his work;

22. *Decides* to continue consideration of the matter at its seventy-first session under the item entitled "Promotion and protection of human rights".

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Algeria, Antigua and Barbuda, Belarus, Bolivia (Plurinational State of), Chad, Cuba, Democratic People's Republic of Korea, Ecuador, Nicaragua, Pakistan, Sri Lanka, Venezuela (Bolivarian Republic of) and Viet Nam: draft resolution

Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

Deeply convinced that United Nations action in the field of human rights should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

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and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3] and the elimination of double standards,

Reaffirming also the importance of the objectivity, independence, impartiality and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms for all, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

[3] A/CONF.157/24 (Part I), chap. III.

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses* the continuing need for impartial and objective information on the political, economic and social situations and events of all countries, and in this context highlights the role of the media in raising public awareness on issues of public interest;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Human Rights Council to continue taking duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of the principles of non-selectivity, impartiality and objectivity, including in the context of the universal periodic review;

11. *Requests* the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on the question to the General Assembly at its seventy-second session;

12. *Decides* to consider the matter at its seventy-second session under the item entitled "Promotion and protection of human rights".

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Cuba:* draft resolution

Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 69/180 of 18 December 2014, and Human Rights Council decision 18/120 of 30 September 2011[1] and resolutions 24/14 of 27 September 2013[2] and 27/21 of 26 September 2014,[3] as well as previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General submitted pursuant to General Assembly resolution 69/180,[4] and recalling the reports of the Secretary-General on the implementation of Assembly resolutions 52/120 of 12 December 1997[5] and 55/110 of 4 December 2000,[6]

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. III.

[2] Ibid., *Sixty-eighth Session, Supplement No. 53A* (A/68/53/Add.1), chap. III.

[3] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigendum (A/69/53/Add.1 and Corr.1), chap. IV, sect. A.

[4] A/70/345.

[5] A/53/293 and Add.1.

[6] A/56/207 and Add.1.

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Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling the Final Document of the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries, held in Bali, Indonesia, from 23 to 27 May 2011,[7] the Final Document of the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012,[8] and the documents adopted at previous summits and conferences, in which States members of the Movement agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them, urge other States to do likewise, as called for by the General Assembly and other organs of the United Nations, and request States applying those measures or laws to revoke them fully and immediately,

Recalling also that, at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights[9] and also severely threatens the freedom of trade,

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[10] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[11] the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[12] and in their five-year reviews and the outcome document of the United Nations summit for the adoption of the post-2015 development agenda,[13]

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities,

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[7] A/65/896-S/2011/407, annex I.

[8] A/67/506-S/2012/752, annex I.

[9] See A/CONF.157/24 (Part I), chap. III.

[10] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[11] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[12] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

[13] Resolution 70/1.

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented, with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,[14]

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights[15] and the International Covenant on Economic, Social and Cultural Rights,[15] which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature, with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[16] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly urges* States to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter that impede the full achievement of economic and social development, particularly in developing countries;

3. *Condemns* the inclusion of Member States in unilateral lists under false pretexts, which are contrary to international law and the Charter, including false allegations of terrorism sponsorship, considering such lists as instruments for political or economic pressure against Member States, particularly developing countries;

4. *Urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full

[14] Resolution 41/128, annex.
[15] See resolution 2200 A (XXI), annex.
[16] Resolution 217 A (III).

8892

enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and education and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

5. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

6. *Condemns* the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures, with all their extraterritorial effects, as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women, the elderly and persons with disabilities;

7. *Expresses grave concern* that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities;

8. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

9. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by revoking such measures at the earliest possible time;

10. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

11. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the Assembly in its resolution 3281 (XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

12. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment of national laws and their extraterritorial application that are not in conformity with international law, in its task concerning the implementation of the right to development;

13. *Requests* the United Nations High Commissioner for Human Rights, in discharging his functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in his annual report to the General Assembly;

14. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development,[14] and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of national laws that run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Working Group on the Right to Development of the Human Rights Council;

15. *Recognizes* that, in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003,[17] States were strongly urged to avoid and refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations in building the information society;

16. *Reaffirms* paragraph 30 of the outcome document of the United Nations summit for the adoption of the post-2015 development agenda,[13] in which States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries;

17. *Recalls* the decision of the Human Rights Council, in its resolution 27/21,[4] to appoint a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, and welcomes the work done in delivering his mandate during its first year;

18. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur, and also requests them, in discharging their functions in relation to the promotion and protection of human rights, to pay due attention and to give urgent consideration to the present resolution;

19. *Recalls* that the Human Rights Council took note of the research-based progress report of its Advisory Committee containing recommendations on mechanisms to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability;[18]

20. *Also recalls* the convening in the Human Rights Council of the first biennial panel discussion on the issue of unilateral coercive measures and human

[17] A/C.2/59/3, annex, chap. I, sect. A.
[18] A/HRC/28/74.

rights, and recognizes the importance of the future review by the Council of the report on the panel discussion to be issued by the Office of the United Nations High Commissioner for Human Rights, which should take into account the practical ways and mechanisms proposed during the discussion, including, in particular, with regard to the issues of remedies and redress, with a view to promoting accountability and reparations;

21. *Welcomes* the increased attention paid by the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights to the negative impact of the application of unilateral coercive measures, and invites the Council to continue to explore ways to address this issue;

22. *Reiterates its support* for the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

23. *Reaffirms* the request of the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights organize a workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted;

24. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-first session an interim report on the implementation of the present resolution and on the negative impact of unilateral coercive measures on the full enjoyment of human rights, and reiterates its request to him to focus the report on the negative impact of unilateral coercive measures on the enjoyment of human rights of victims and to address in the report the issues of remedies and redress with a view to promoting accountability and reparations;

25. *Invites* Governments to cooperate fully with the Special Rapporteur in the fulfilment of his or her mandate through, inter alia, the submission of comments and suggestions on the implications and negative effects of unilateral coercive measures on the full enjoyment of human rights;

26. *Decides* to examine the question on a priority basis at its seventy-first session, under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

United Nations A/C.3/70/L.33

General Assembly

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Seventieth session
Third Committee
Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Cuba:* draft resolution

Promotion of equitable geographical distribution in the membership of the human rights treaty bodies

The General Assembly,

Recalling its previous resolutions on this question,

Reaffirming the importance of the goal of universal ratification of the United Nations human rights instruments,

Welcoming the significant increase in the number of ratifications of United Nations human rights instruments and the movement of some treaties towards universal ratification,

Reiterating the importance of the effective functioning of the treaty bodies established pursuant to United Nations human rights instruments for the full and effective implementation of those instruments,

Recognizing that the equitable geographical distribution of membership is an essential requirement for the effective functioning of the treaty bodies,

Recalling that, with regard to the election of the members of the human rights treaty bodies, the General Assembly and the former Commission on Human Rights recognized the importance of giving consideration in their membership to equitable geographical distribution, gender balance and representation of the principal legal systems and of bearing in mind that the members shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights,

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

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Reaffirming the significance of national and regional particularities and various historical, cultural and religious backgrounds, as well as of different political, economic and legal systems,

Taking note of the report of the Secretary-General,[1]

Recognizing that the United Nations pursues multilingualism as a means of promoting, protecting and preserving diversity of languages and cultures globally and that genuine multilingualism promotes unity in diversity and international understanding,

Recalling that the General Assembly and the former Commission on Human Rights encouraged States parties to United Nations human rights treaties, individually and through meetings of States parties, to consider how to give better effect, inter alia, to the principle of equitable geographical distribution in the membership of treaty bodies,

Expressing its deep concern at the regional imbalance in the current composition of the membership of the human rights treaty bodies in favour in particular of representatives of members from Western European and other States, as indicated and highlighted in the report of the Secretary-General,

Reaffirming the importance of increasing efforts to address that imbalance,

Convinced that the goal of equitable geographical distribution in the membership of human rights treaty bodies is perfectly compatible and can be fully realized and achieved in harmony with the need to achieve gender balance and the representation of the principal legal systems in those bodies and the high moral character, acknowledged impartiality and recognized competence in the field of human rights of their members,

1. *Reiterates* that the States parties to the United Nations human rights instruments should take into account, in their nomination of members to the human rights treaty bodies, that these committees shall be composed of persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of persons having legal experience and to equal representation of women and men, and that members shall serve in their personal capacity, and also reiterates that, in the elections to the human rights treaty bodies, strong consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems;

2. *Urges* the States parties to the United Nations human rights instruments, including the bureau members, to include this matter in the agenda of each meeting and/or conference of States parties to those instruments in order to initiate a debate on ways and means to ensure equitable geographical distribution in the membership of the human rights treaty bodies, based on previous recommendations of the former Commission on Human Rights and the Economic and Social Council and the provisions of the present resolution;

3. *Encourages* the States parties to the United Nations human rights instruments to consider and adopt concrete actions, inter alia, the possible establishment of quotas by geographical region for membership of the treaty bodies,

[1] A/70/257.

thereby ensuring the paramount objective of equitable geographical distribution in the membership of those human rights bodies;

4. *Recommends*, when considering the possible allocation of seats on each treaty body on a regional basis, the introduction of flexible procedures that encompass the following criteria:

(a) Each of the five regional groups established by the General Assembly is allocated seats on each treaty body in equivalent proportion to the number of States parties to the instrument in that group;

(b) There must be provision for periodic revisions of the allocation of seats in order to reflect relative changes in the level of treaty ratification in each regional group;

(c) Automatic periodic revisions should be envisaged in order to avoid amending the text of the instrument when the quotas are revised;

5. *Stresses* that the process needed to achieve the goal of equitable geographical distribution in the membership of human rights treaty bodies can contribute to raising awareness of the importance of gender balance, the representation of the principal legal systems and the principle that the members of the treaty bodies shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights;

6. *Requests* the Secretary-General, in consultation with the Office of the United Nations High Commissioner for Human Rights, to submit to the General Assembly at its seventy-second session a comprehensive updated report in this regard, including information on any steps taken by States parties at meetings or conferences of States parties to address the matter of equitable geographical distribution in the membership of the human rights treaty bodies, as well as concrete recommendations on the implementation of the present resolution;

7. *Decides* to continue its consideration of the question at its seventy-second session under the item entitled "Promotion and protection of human rights".

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Agenda item 72 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Antigua and Barbuda and Cuba:* draft resolution

Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000,[2] its resolution 69/179 of 18 December 2014, Human Rights Council resolution 28/2 of 26 March 2015[3] and the resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, the Durban Review Conference, held in Geneva from 20 to 24 April 2009, and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] A/CONF.157/24 (Part I), chap. III.

[2] Resolution 55/2.

[3] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

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Declaration and Programme of Action,[4] and their role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Stressing the importance of international cooperation for improving the living conditions of all in every country, including, in particular, in developing countries,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[5]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the

[4] Resolution 66/3.

[5] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, cooperation and genuine dialogue, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Emphasizes* the need for a cooperative approach on the part of all stakeholders to resolving human rights issues in international forums;

9. *Also emphasizes* the role of international cooperation in support of national efforts and in increasing the capacities of Member States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned;

10. *Calls upon* Member States, the specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

11. *Urges* States to take measures necessary to enhance bilateral, regional and international cooperation aimed at addressing the adverse impact of consecutive and compounded global crises, such as financial and economic crises, food crises, climate change and natural disasters, on the full enjoyment of human rights;

12. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

13. *Recalls* the seminar on the enhancement of international cooperation in the field of human rights held in 2013, with the participation of States, relevant United Nations agencies, funds and programmes and other stakeholders, including academic experts and civil society;

14. *Also recalls* the high-level panel discussion on the theme "Enhancement of international cooperation in the field of human rights" held during the twenty-eighth session of the Human Rights Council in March 2015;

15. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as on obstacles and challenges and possible proposals to overcome them, for the enhancement of international cooperation and genuine dialogue in the United Nations human rights machinery, including the Human Rights Council;

16. *Decides* to continue its consideration of the question at its seventy-first session.

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Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Democratic People's Republic of Korea

The General Assembly,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations that they have undertaken under the various international instruments,

Recalling all previous resolutions adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea, including Assembly resolution 69/188 of 18 December 2014 and Council resolution 28/22 of 27 March 2015,[1] and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

Deeply concerned at the grave human rights situation, the pervasive culture of impunity and the lack of accountability for human rights violations in the Democratic People's Republic of Korea,

Stressing the importance of following up on the recommendations contained in the report of the commission of inquiry on human rights in the Democratic People's

[1] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

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Republic of Korea,[2] and expressing grave concern at the detailed findings contained therein,

Welcoming the decision of the Security Council to add the situation in the Democratic People's Republic of Korea to the list of issues of which the Council is seized and the holding of an open meeting of the Council on 22 December 2014 during which the situation of human rights in the Democratic People's Republic of Korea was discussed,

Recalling the responsibility of the Democratic People's Republic of Korea to protect its population from crimes against humanity,

Taking note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea,[3] regretting that he still has not been allowed to visit the country and that he has received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution 69/188,[4]

Mindful that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,[5] the International Covenant on Economic, Social and Cultural Rights,[5] the Convention on the Rights of the Child[6] and the Convention on the Elimination of All Forms of Discrimination against Women,[7] and recalling the concluding observations of the treaty bodies under the four treaties and the importance of giving them consideration,

Noting with appreciation the signature of the Convention on the Rights of Persons with Disabilities[8] and the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[9] by the Democratic People's Republic of Korea, encouraging the Government of the Democratic People's Republic of Korea to expedite the ratification of the Convention, and urging the Government to fully respect the rights of persons with disabilities and children,

Acknowledging the participation of the Democratic People's Republic of Korea in the second universal periodic review process, noting the acceptance by the Government of the Democratic People's Republic of Korea of 113 out of the 268 recommendations contained in the outcome of the review[10] and its stated commitment to implement them and look into the possibility of implementing a further 58 recommendations, and emphasizing the importance of the implementation of the recommendations in order to address the grave human rights violations in the country,

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[2] A/HRC/25/63.
[3] A/70/362.
[4] A/70/393.
[5] See resolution 2200 A (XXI), annex.
[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[7] Ibid., vol. 1249, No. 20378.
[8] Ibid., vol. 2515, No. 44910.
[9] Ibid., vol. 2171, No. 27531.
[10] A/HRC/27/10.

Noting with appreciation the collaboration established between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country, and the collaboration established with the United Nations Children's Fund to improve the nutrition of children and the quality of children's education,

Noting the activities undertaken by the United Nations Development Programme, on a modest scale, in the Democratic People's Republic of Korea, and encouraging the engagement of the Government of the Democratic People's Republic of Korea with the international community to ensure that the programmes benefit the persons in need of assistance,

Noting also the cooperation between the Government of the Democratic People's Republic of Korea and the World Food Programme, the United Nations Children's Fund and the Food and Agriculture Organization of the United Nations on food security assessments, underscoring the importance of those assessments in analysing changes in the national, household and individual food security and nutritional situation and thereby in supporting donor confidence in the targeting of aid programmes, noting further the letter of understanding signed by the Government and the World Food Programme and the importance of further improvements in operating conditions, bringing access and monitoring arrangements closer to international standards for all United Nations entities, and noting with appreciation the work of international aid operators,

Taking note of the United Nations report entitled "Democratic People's Republic of Korea 2015: Needs and Priorities" and its call on the international community to address the critical humanitarian needs in the Democratic People's Republic of Korea,

Noting the importance of the issue of international abductions and of the immediate return of all abductees, taking note of the outcome of the government-level consultation between the Democratic People's Republic of Korea and Japan in May 2014, on the basis of which the Democratic People's Republic of Korea commenced investigations on all the Japanese nationals, and expecting the resolution of all issues related to the Japanese nationals, in particular the return of all abductees, to be achieved at the earliest possible date,

Welcoming the panel discussion on the situation of human rights in the Democratic People's Republic of Korea, including the issue of international abductions, enforced disappearances and related matters, held during the thirtieth session of the Human Right Council,

Noting the importance of the inter-Korean dialogue, which could contribute to the improvement of the human rights and humanitarian situation in the country,

Welcoming the resumption of the reunions of separated families across the border in October 2015, and, given that this is an urgent humanitarian concern of the entire Korean people, owing, in particular, to the advanced age of many members of the separated families, hoping that necessary arrangements for further reunions on a larger scale and a regular basis will be made by the Democratic People's Republic of Korea, the Republic of Korea and members of the Korean diaspora,

Underlining the efforts of the Secretary-General to contribute to improving inter-Korean relations and promoting reconciliation and stability on the Korean peninsula and the well-being of the Korean people,

1. Condemns the long-standing and ongoing systematic, widespread and gross violations of human rights in the Democratic People's Republic of Korea, including those which the commission of inquiry on human rights in the Democratic People's Republic of Korea, established by the Human Rights Council in its resolution 22/13 of 21 March 2013,[11] has said may amount to crimes against humanity, and the continuing impunity for such violations;

2. *Expresses its very serious concern* at:

(a) The persistence of continuing reports of violations of human rights, including the detailed findings made by the commission of inquiry in its report,[2] such as:

(i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention; rape; public executions; extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; extrajudicial, summary and arbitrary executions; the imposition of the death penalty for political and religious reasons; collective punishments extending up to three generations; and the extensive use of forced labour;

(ii) The existence of an extensive system of political prison camps, where a vast number of persons are deprived of their liberty and subjected to deplorable conditions and where alarming violations of human rights are perpetrated;

(iii) The forcible transfer of populations and the limitations imposed on every person who wishes to move freely within the country and travel abroad, including the punishment of those who leave or try to leave the country without permission, or their families, as well as punishment of persons who are returned;

(iv) The situation of refugees and asylum seekers expelled from or returned to the Democratic People's Republic of Korea and sanctions imposed on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, other cruel, inhuman or degrading treatment, sexual violence or the death penalty, and in this regard strongly urges all States to respect the fundamental principle of non-refoulement, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to protecting the human rights of those who seek refuge, and once again urges States parties to comply with their obligations under the 1951 Convention relating to the Status of Refugees[12] and the 1967 Protocol thereto[13] in relation to refugees from the Democratic People's Republic of Korea who are covered by those instruments;

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[11] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

[12] United Nations, *Treaty Series*, vol. 189, No. 2545.

[13] Ibid., vol. 606, No. 8791.

(v) All-pervasive and severe restrictions on the freedoms of thought, conscience, religion or belief, opinion and expression, peaceful assembly and association, the right to privacy and equal access to information, by such means as the persecution, torture and imprisonment of individuals exercising their freedom of opinion and expression, religion or belief, and their families, and the right of everyone to take part in the conduct of public affairs, directly or through freely chosen representatives, of his or her country;

(vi) Violations of economic, social and cultural rights, which have led to severe hunger, malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for women, children, persons with disabilities and the elderly;

(vii) Violations of the human rights and fundamental freedoms of women, in particular the creation of internal conditions that force women to leave the country and make them extremely vulnerable to trafficking in persons for the purpose of prostitution, domestic servitude or forced marriage and the subjection of women to gender-based discrimination, including in the political and social spheres, forced abortions and other forms of sexual and gender-based violence;

(viii) Violations of the human rights and fundamental freedoms of children, in particular the continued lack of access to basic economic, social and cultural rights for many children, and in this regard notes the particularly vulnerable situation faced by, inter alia, returned or repatriated children, street children, children with disabilities, children whose parents are detained, children living in detention or in institutions and children in conflict with the law;

(ix) Violations of the human rights and fundamental freedoms of persons with disabilities, especially violations involving the use of collective camps and coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children and those involving medical testing, forced relocation to rural areas and separation of children with disabilities from their parents;

(x) Violations of workers' rights, including the right to freedom of association and effective recognition of the right to collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights,[5] and the prohibition of the economic exploitation of children and of any harmful or hazardous work of children as defined by the obligations of the Democratic People's Republic of Korea under the Convention on the Rights of the Child;[6]

(xi) Discrimination based on the *songbun* system, which classifies people on the basis of State-assigned social class and birth, and also includes consideration of political opinions and religion;

(b) The continued refusal of the Government of the Democratic People's Republic of Korea to extend an invitation to the Special Rapporteur of the Human Rights Council on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to the Special Rapporteur and other United Nations special procedures in accordance with their terms of reference, as well as to other United Nations human rights mechanisms;

(c) The continued lack of acknowledgement by the Government of the Democratic People's Republic of Korea of the grave human rights situation in the country and its consequential lack of action to implement the recommendations contained in the outcome of its first universal periodic review[14] and to give consideration to the concluding observations of the treaty bodies;

3. *Underscores its very serious concern* at the systematic abduction, denial of repatriation and subsequent enforced disappearance of persons, including those from other countries, on a large scale and as a matter of State policy, and in this regard strongly calls upon the Government of the Democratic People's Republic of Korea urgently to resolve these issues of international concern, in a transparent manner, including by ensuring the immediate return of abductees;

4. *Expresses its very deep concern* at the precarious humanitarian situation in the country, which could rapidly deteriorate owing to limited resilience to natural disasters and to government policies causing limitations in the availability of and access to adequate food, compounded by structural weaknesses in agricultural production resulting in significant shortages of diversified food and the State restrictions on the cultivation of and trade in foodstuffs, as well as the prevalence of chronic malnutrition, particularly among the most vulnerable groups, pregnant and lactating women, children, persons with disabilities, the elderly and political prisoners, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action, cooperating where necessary with international donor agencies and in accordance with international standards for monitoring humanitarian assistance;

5. *Commends* the Special Rapporteur for the activities undertaken so far and for his continued efforts in the conduct of his mandate despite the denial of access;

6. *Welcomes* the findings contained in the report of the Special Rapporteur,[3] and takes note of his recommendations, in particular those aimed at exploring possible options to ensure justice and accountability;

7. *Recalls its appreciation* for the work of the commission of inquiry, recognizes the continuing importance of its report, and regrets that the commission received no cooperation from the authorities of the Democratic People's Republic of Korea, including with regard to access to the country;

8. *Acknowledges* the commission's finding that the body of testimony gathered and the information received provide reasonable grounds to believe that crimes against humanity have been committed in the Democratic People's Republic of Korea, pursuant to policies established at the highest level of the State for decades;

9. *Expresses its concern* at the failure of the authorities of the Democratic People's Republic of Korea to prosecute those responsible for human rights violations, including violations which the commission of inquiry has said may amount to crimes against humanity, and encourages the international community to cooperate with accountability efforts and to ensure that such crimes do not remain unpunished;

[14] A/HRC/13/13.

10. *Encourages* the Security Council to continue its consideration of the relevant conclusions and recommendations of the commission of inquiry and take appropriate action to ensure accountability, including through consideration of referral of the situation in the Democratic People's Republic of Korea to the International Criminal Court and consideration of the scope for effective targeted sanctions against those who appear to be most responsible for acts that the commission has said may constitute crimes against humanity;

11. *Also encourages* the Security Council to continue to discuss the situation in the Democratic People's Republic of Korea, including the country's human rights record, and looks forward to its continued and active engagement on this matter;

12. *Welcomes* the establishment by the Office of the United Nations High Commissioner for Human Rights of a field-based structure in Seoul to strengthen the monitoring and documentation of the situation of human rights in the Democratic People's Republic of Korea, to ensure accountability, to provide the Special Rapporteur with increased support, to enhance the engagement and capacity-building of the Governments of all States concerned, civil society and other stakeholders and to maintain the visibility of the situation of human rights in the Democratic People's Republic of Korea, including through sustained communications, advocacy and outreach initiatives;

13. *Calls upon* Member States to undertake to ensure that the field-based structure of the Office of the High Commissioner can function with independence, that it has sufficient resources and support to fulfil its mandate and that it is not subjected to any reprisals or threats;

14. *Strongly urges* the Government of the Democratic People's Republic of Korea to respect fully all human rights and fundamental freedoms and, in this regard:

(a) To immediately put an end to the systematic, widespread and grave violations of human rights emphasized above, inter alia, by implementing fully the measures set out in the above-mentioned resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, and the recommendations addressed to the Democratic People's Republic of Korea by the Council in the context of the universal periodic review and by the commission of inquiry, the United Nations special procedures and treaty bodies;

(b) To immediately close the political prison camps and to release all political prisoners unconditionally and without any delay;

(c) To protect its inhabitants, address the issue of impunity and ensure that those responsible for violations of human rights are brought to justice before an independent judiciary;

(d) To tackle the root causes leading to refugee outflows and prosecute those who exploit refugees through human smuggling, trafficking and extortion, while not criminalizing the victims;

(e) To ensure that citizens of the Democratic People's Republic of Korea who are expelled from or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are treated humanely and are not subjected to any kind of punishment, and to provide information on their status and treatment;

(f) To extend its full cooperation to the Special Rapporteur, including by granting him full, free and unimpeded access to the Democratic People's Republic of Korea and to other United Nations human rights mechanisms so that a full needs assessment of the human rights situation may be made;

(g) To engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and his Office, as pursued by the High Commissioner in recent years, with a view to improving the situation of human rights in the country;

(h) To implement the accepted recommendations stemming from the universal periodic review and to consider positively those recommendations which are still under consideration, as well as the preparation of a midterm implementation report;

(i) To become a member of the International Labour Organization and consider ratifying all the relevant conventions;

(j) To continue and reinforce its cooperation with United Nations humanitarian agencies;

(k) To ensure full, safe and unhindered access to humanitarian aid and take measures to allow humanitarian agencies to secure its impartial delivery to all parts of the country on the basis of need in accordance with humanitarian principles, as it pledged to do, to ensure access to adequate food and implement more effective food security and nutrition policies, including through sustainable agriculture, sound food production and distribution measures and the allocation of more funds to the food sector, and to ensure adequate monitoring of humanitarian assistance;

(l) To further improve cooperation with the United Nations country team and development agencies so that they can directly contribute to improving the living conditions of the civilian population, including progress towards the achievement of the Sustainable Development Goals;

(m) To consider ratifying and acceding to the remaining international human rights treaties, which would enable a dialogue with the human rights treaty bodies, to resume reporting to monitoring bodies on treaties to which it is a party, and to give consideration to the concluding observations of such bodies in order to improve the human rights situation in the country;

15. *Urges* the Government of the Democratic People's Republic of Korea to implement the recommendations of the commission of inquiry without delay;

16. *Encourages* all Member States, the General Assembly, the Human Rights Council, the Office of the High Commissioner, the United Nations Secretariat, relevant specialized agencies, regional intergovernmental organizations and forums, civil society organizations, foundations and engaged business enterprises and other stakeholders towards which the commission of inquiry has directed recommendations to implement or take forward those recommendations;

17. *Encourages* the United Nations system as a whole to continue to address the grave human rights situation in the Democratic People's Republic of Korea in a coordinated and unified manner;

18. *Notes* the willingness expressed by the Democratic People's Republic of Korea in 2014 to consider human rights dialogues with States and groups of States, technical cooperation with the Office of the High Commissioner and a country visit

of the Special Rapporteur, and strongly encourages the Democratic People's Republic of Korea to continue to undertake such dialogues and cooperation initiatives as a matter of priority;

19. *Calls upon* the Democratic People's Republic of Korea to continue to engage constructively with international interlocutors with a view to promoting concrete improvements in the human rights situation on the ground, including through dialogues, official visits to the country and more people-to-people contact;

20. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its seventy-first session, and to this end requests the Secretary-General to submit a comprehensive report on the situation in the Democratic People's Republic of Korea, and requests the Special Rapporteur to continue to report his findings and recommendations, as well as to report on the follow-up to the implementation of the recommendations of the commission of inquiry.[2]

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Third Committee
Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Algeria, Antigua and Barbuda, Belarus, Benin, Bolivia (Plurinational State of), Cabo Verde, Chad, Cuba, Democratic People's Republic of Korea, Ecuador, Guinea-Bissau, Mauritania, Nicaragua, Pakistan, Sri Lanka, Syrian Arab Republic and Venezuela (Bolivarian Republic of): draft resolution

The right to food

The General Assembly,

Reaffirming the Charter of the United Nations and its importance for the promotion and protection of all human rights and fundamental freedoms for all,

Reaffirming also all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition,[2] the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015 and the 2030 Agenda for Sustainable Development,[4] in particular the Sustainable Development Goals on ending hunger, achieving food security and improved nutrition and promoting sustainable agriculture and on ending poverty in all its forms everywhere,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[5] in which the fundamental right of every person to be free from hunger is recognized,

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[1] Resolution 217 A (III).
[2] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.
[3] Resolution 55/2.
[4] Resolution 70/1.
[5] See resolution 2200 A (XXI), annex.

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Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the importance of the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7]

Reaffirming also the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,[8]

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food and nutrition security and poverty eradication,

Reiterating, as set out in the Rome Declaration on World Food Security and the Declaration of the World Food Summit, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter and that endanger food and nutrition security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food and nutrition security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing the complex character of the global food crisis, in which the right to adequate food has been threatened to be violated on a substantial scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States, and the need for coherence and collaboration between international institutions at the global level,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the impacts of the global food crisis,

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[6] A/57/499, annex.

[7] E/CN.4/2005/131, annex.

[8] See Food and Agriculture Organization of the United Nations, document WSFS 2009/2.

Stressing that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, through, inter alia, the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts and tackle water scarcity, as well as in programmes, practices and policies to scale up agroecological approaches,

Expressing its deep concern at the number and scale of natural disasters, diseases and pest infestations, as well as the negative impact of climate change, and their increasing impact in recent years, which have resulted in substantial loss of life and livelihood and threatened agricultural production and food and nutrition security, in particular in developing countries,

Emphasizing that a multisectoral approach that integrates nutrition across all sectors, including agriculture, health, water and sanitation, social protection and education, as well as a gender perspective, is critical to achieving global food and nutrition security and the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security[9] by the Committee on World Food Security at its 38th session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the Principles for Responsible Investment in Agriculture and Food Systems,[10] which were endorsed by the Committee on World Food Security at its forty-first session, held in October 2014,

Stressing the importance of the Second International Conference on Nutrition, hosted by the World Health Organization and the Food and Agriculture Organization of the United Nations in Rome from 19 to 21 November 2014,

Stressing also the need to increase official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Recalling the cultural values of dietary and eating habits in different cultures and recognizing that food plays an important role in defining the identity of individuals and communities and is a cultural component that describes and gives value to a territory and its inhabitants,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", and recalling the

[9] Food and Agriculture Organization of the United Nations, document CL 144/9 (C 2013/20), appendix D.

[10] Food and Agriculture Organization of the United Nations, document C 2015/20, appendix D.

commitment therein to work together to promote sustained and inclusive economic growth, social development and environmental protection and thereby to benefit all, endorsed by the General Assembly in its resolution 66/288 of 27 July 2012,

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers* it intolerable that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 die from hunger-related illness and that, as estimated by the Food and Agriculture Organization of the United Nations, about 795 million people in the world remain undernourished due to the lack of sufficient food for conducting an active and healthy life, including as one of the effects derived from the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its concern* at the fact that the effects created by the world food crisis still continue to have serious consequences for the poorest and most vulnerable people, particularly in developing countries, which have been further aggravated by the impacts of the world financial and economic crisis, and at the particular effects of this crisis on many net food-importing countries, especially least developed countries;

5. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations, entitled *The State of Food Insecurity in the World 2015*, the number of hungry people in the world remains unacceptably high and the vast majority of hungry people live in developing countries;

6. *Expresses its concern* that women and girls are disproportionately affected by hunger, food and nutrition insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular when they contribute to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and that women have equal access to resources, including income, land and water and their ownership and agricultural inputs, as well as full and equal access to health care, education, science and technology, to enable them to feed themselves and their families, and in this regard stresses the need to empower women and strengthen their role in decision-making;

8. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of her mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to continue integrating a gender perspective into their relevant policies, programmes and activities;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

10. *Calls upon* all States and, if appropriate, relevant international organizations to take measures and support programmes that are aimed at combating undernutrition in mothers, in particular during pregnancy, and children and the irreversible effects of chronic undernutrition in early childhood, in particular from birth to the age of 2 years;

11. *Encourages* all States to take steps, with a view to progressively achieving the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

12. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

13. *Stresses* that improving access to productive resources and public investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investment, including private investment, in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

14. *Recognizes* the critical contribution made by the fisheries sector to the realization of the right to food and to food security and the contribution of small-scale fishers to the local food security of coastal communities;

15. *Also recognizes* that 70 per cent of hungry people live in rural areas, where nearly half a billion family farmers are located, and that these people are especially vulnerable to food insecurity given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access for their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

16. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation

of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[11]

17. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity[12] and the International Treaty on Plant Genetic Resources for Food and Agriculture[13] as a matter of priority;

18. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples,[14] acknowledges that many indigenous organizations and their representatives have expressed in different forums their deep concerns over the obstacles and challenges they face in achieving the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

19. *Recalls* the outcome document of the World Conference on Indigenous Peoples,[15] held on 22 and 23 September 2014, and the commitment to developing, in conjunction with the indigenous peoples concerned and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition;

20. *Notes* the need to further examine various concepts, such as "food sovereignty", and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

21. *Requests* all States and private actors, as well as international organizations, within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

22. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting their enjoyment of the right to food;

23. *Takes note with appreciation* of the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

24. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

25. *Calls for* the conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a

[11] United Nations, *Treaty Series*, vol. 1954, No. 33480.
[12] Ibid., vol. 1760, No. 30619.
[13] Ibid., vol. 2400, No. 43345.
[14] Resolution 61/295, annex.
[15] Resolution 69/2.

contribution to creating international conditions that permit the full realization of the right to food;

26. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

27. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty, as well as non-communicable diseases;

28. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and once again invites all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the right to food as set out in the Rome Declaration on World Food Security[6] and to achieve the aims of Goal 2 of the 2030 Agenda for Sustainable Development and other food and nutrition related targets;

29. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

30. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

31. *Stresses* the importance of international cooperation and development assistance as an effective contribution both to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock and institutional innovations such as community seed banks, farmer field schools and seed fairs and to the provision of humanitarian food assistance in activities related to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

32. *Also stresses* that States parties to the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights should consider implementing that agreement in a manner that is supportive of food security, while being mindful of the obligation of Member States to promote and protect the right to food;

33. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across different regions, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

34. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the

right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on its realization;

35. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Human Rights Council, which underlines, inter alia, the adverse impact of climate change on the right to food;[16]

36. *Recognizes* the importance of giving due consideration to the adverse impact of climate change in the full realization of the right to food, in the context of the outcome of the meeting of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Paris;

37. *Reiterates its support* for the realization of the mandate of the Special Rapporteur, and requests the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for its effective fulfilment;

38. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[17] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

39. *Recalls* general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[18] in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

40. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in 2004,[7] represent a useful tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, and to support national Governments in the implementation of food security and nutrition policies, programmes and legal frameworks;

41. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in her task, to supply all necessary information requested by her and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable her to fulfil her mandate more effectively;

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[16] See A/70/287.

[17] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

[18] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

42. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-first session an interim report on the implementation of the present resolution and to continue her work, including by examining the emerging issues with regard to the realization of the right to food within her mandate;

43. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

44. *Decides* to continue the consideration of the question at its seventy-first session under the item entitled "Promotion and protection of human rights".

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Agenda item 72 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Cuba:* draft resolution

The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom and, to that end, to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights,[1] as well as the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, which confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing the importance of the World Conference on Human Rights, held in Vienna in 1993, and that the Vienna Declaration and Programme of Action[3] reaffirmed the right to development as a universal and inalienable right and an

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] A/CONF.157/24 (Part I), chap. III.

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integral part of fundamental human rights and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration,[4] adopted by the General Assembly on 8 September 2000,

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Recalling the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, and its outcome document,[5]

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Expressing deep concern over the lack of substantial progress in the trade negotiations of the World Trade Organization, and reaffirming the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,

Recalling the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008, on the theme "Addressing the opportunities and challenges of globalization for development",[6]

Recalling also all its previous resolutions, Human Rights Council resolutions and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998[7] on the urgent need to make further progress towards the realization of the right to development,

Recalling further the outcome of the eleventh session of the Working Group on the Right to Development of the Human Rights Council, held in Geneva from 26 to 30 April 2010, as contained in the report of the Working Group[8] and as referred to in the report of the Secretary-General and the United Nations High Commissioner for Human Rights,[9]

Recalling the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012, and the previous summits and conferences at which the States members of the Movement of Non-Aligned Countries stressed the need to operationalize the right to development as a priority,

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[4] Resolution 55/2.

[5] Resolution 69/2.

[6] See TD/442 and Corr.1 and 2.

[7] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[8] A/HRC/15/23.

[9] A/HRC/15/24.

Reiterating its continuing support for the New Partnership for Africa's Development[10] as a development framework for Africa,

Expressing its appreciation for the efforts of the Chair-Rapporteur of the Working Group on the Right to Development of the Human Rights Council and the members of the high-level task force on the implementation of the right to development in completing the 2008-2010 three-phase road map established by the Council in its resolution 4/4 of 30 March 2007,[11]

Deeply concerned about the negative impacts of the global economic and financial crises on the realization of the right to development,

Recognizing that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights,

Recognizing also that Member States should cooperate with one another in ensuring development and eliminating obstacles to development, that the international community should promote effective international cooperation for the realization of the right to development and the elimination of obstacles to development and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing further that poverty is an affront to human dignity,

Recognizing that extreme poverty and hunger are among the greatest global threats and require the collective commitment of the international community for their eradication, pursuant to Millennium Development Goal 1 and Sustainable Development Goals 1 and 2, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing also that historical injustices, inter alia, have contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the Millennium Development Goal of halving, by 2015, the proportion of the world's people whose income is less than 1 United States dollar a day and the proportion of people who suffer from hunger,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

Emphasizing also that the right to development should be central to the implementation of the 2030 Agenda for Sustainable Development,[12]

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[10] A/57/304, annex.

[11] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. III, sect. A.

[12] Resolution 70/1.

Welcoming the adoption of the 2030 Agenda for Sustainable Development, reaffirming that the Declaration on the Right to Development informed the 2030 Agenda, along with other relevant international instruments, and underlining that the Sustainable Development Goals can be realized only through a credible, effective and universal commitment to the means of implementation by all stakeholders,

Stressing that the thirtieth anniversary of the Declaration on the Right to Development presents a unique opportunity for the international community to demonstrate and reiterate its unequivocal commitment to the right to development, recognizing the high profile that it deserves, and redoubling its efforts to implement this right,

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights[13] concerning the promotion and realization of the right to development;

2. *Recognizes* the significance of all the events held to commemorate the twenty-fifth anniversary of the Declaration on the Right to Development,[14] including the panel discussion on the theme "The way forward in the realization of the right to development: between policy and practice", held during the eighteenth session of the Human Rights Council;

3. *Acknowledges* the need to strive for greater acceptance, operationalization and realization of the right to development at the international level while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

4. *Supports* the realization of the mandate of the Working Group on the Right to Development, as renewed by the Human Rights Council in its resolution 9/3 of 24 September 2008,[15] and recognizes the need for renewed efforts towards intensifying deliberations in the Working Group to fulfil, at the earliest, its mandate, while welcoming the commencement of the second reading of the draft criteria and corresponding operational subcriteria;

5. *Reaffirms* the recommendations adopted by the Working Group at its fourteenth session,[16] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors, noting also the efforts under way within the framework of the Working Group with a view to completing the tasks entrusted to it by the Council in its resolution 4/4;[11]

6. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the Millennium Development Goals, and also in this regard to lead the raising of the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration

[13] A/HRC/30/22.

[14] Resolution 41/128, annex.

[15] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. I.

[16] A/HRC/24/37.

and Programme of Action,[3] to the same level as and on a par with all other human rights and fundamental freedoms;

7. *Stresses* that the views, criteria and corresponding operational subcriteria, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

8. *Emphasizes* the importance of the Working Group taking appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including the elaboration of guidelines on the implementation of the right to development, and evolve into a basis for the consideration of an international legal standard of a binding nature through a collaborative process of engagement, with a view to elaborating an international convention on the right to development;

9. *Recalls* the request made to the Working Group to consider at its seventeenth session a document, to be produced by its Chair-Rapporteur, containing a set of standards to implement the right to development based on relevant United Nations resolutions and documents, including the Declaration on the Right to Development, relevant international conventions and decisions as well as internationally agreed development goals and United Nations resolutions, in consultation with Member States, relevant international organizations and other stakeholders;

10. *Also recalls* that the above-mentioned document would be prepared without prejudice to the ongoing discussions on the criteria and operational subcriteria, in the context of which the Working Group shall complete its second reading at its seventeenth session and decide on further action thereafter, with the objective of elaborating a comprehensive and coherent set of standards for the implementation of the right to development;

11. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session,[17] congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

12. *Also stresses* that it is important that the Chair-Rapporteur and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development[10] and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Millennium Development Goals;

[17] See E/CN.4/2002/28/Rev.1, sect. VIII A.

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms, and also while urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(d) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

(e) To mainstream the right to development in the policies and operational activities of the United Nations and the specialized agencies, funds and programmes, as well as in the policies and strategies of the international financial and multilateral trading systems, bearing in mind in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising from political or other non-economic considerations in addressing the issues of concern to the developing countries;

13. *Encourages* the Human Rights Council to continue to consider how to ensure follow-up to the work of the former Subcommission on the Promotion and Protection of Human Rights on the right to development, in accordance with the relevant provisions of the resolutions adopted by the General Assembly and the Commission on Human Rights and in compliance with decisions to be taken by the Council;

14. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

15. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

16. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

17. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with one another to that end;

18. *Underlines* the need for transnational corporations and other business enterprises to be held accountable in international human rights and humanitarian law for human rights violations, and to this end recognizes that these entities, as the owners of the global wealth and key drivers of globalization, must contribute to the means of implementation for the realization of the right to development and for ending global poverty;

19. *Reaffirms* the need for an international environment that is conducive to the realization of the right to development;

20. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon all States to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

21. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and international levels;

22. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable, recognizes that globalization has brought disparities in the equitable sharing of its benefits, emphasizes that issues such as trade and trade liberalization, transfer of technology, infrastructure development and market access require to be managed effectively in order to mitigate the challenges of poverty and underdevelopment, to realize the unfinished Millennium Development Goals and to make the right to development and the 2030 Agenda for Sustainable Development [12] a reality for everyone;

23. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

24. *Expresses its deep concern*, in this regard, about the negative impact on the realization of the right to development due to the further aggravation of the economic and social situation, in particular of developing countries, as a result of the ongoing international energy, food and financial crises, as well as the increasing challenges posed by global climate change and the loss of biodiversity, which have increased vulnerabilities and inequalities and have adversely affected development gains, in particular in developing countries;

25. *Recalls* the commitment in the United Nations Millennium Declaration [4] to halving the number of people living in poverty by 2015 and the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

26. *Notes with concern* that some developing countries have failed to achieve the Millennium Development Goals, and in this regard invites Member States and

the international community to take proactive measures aimed at creating a conducive environment to contribute to the effective implementation of the 2030 Agenda for Sustainable Development;

27. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

28. *Recognizes* the need to address market access for developing countries, including in the sectors of agriculture, services and non-agricultural products, in particular those of interest to developing countries;

29. *Calls once again for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization, the implementation of commitments on implementation-related issues and concerns, a review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational, the avoidance of new forms of protectionism and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

30. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses in this regard the need for good governance and for broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as to strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

31. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

32. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between the education of women and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

33. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

34. *Recalls* the Political Declaration on HIV and AIDS: Intensifying Our Efforts to Eliminate HIV and AIDS,[18] adopted on 10 June 2011 at the high-level meeting of the General Assembly on HIV and AIDS, stresses that further and additional measures must be taken at the national and international levels to fight HIV and AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

35. *Welcomes* the political declaration of the high-level meeting of the General Assembly on the prevention and control of non-communicable diseases,[19] adopted on 19 September 2011, with its particular focus on development and other challenges and social and economic impacts, particularly for developing countries;

36. *Recalls* the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want";[20]

37. *Also recalls* the Convention on the Rights of Persons with Disabilities,[21] which entered into force on 3 May 2008, and stresses the need to take into consideration the rights of persons with disabilities and the importance of international cooperation in support of national efforts in the realization of the right to development;

38. *Stresses its commitment* to indigenous peoples in the process of the realization of the right to development, reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security, in accordance with recognized international human rights obligations and taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007, and in this regard recalls the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in 2014;

39. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

40. *Emphasizes* the urgent need to take concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery, consistent with the principles of the United Nations Convention against Corruption,[22] particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify the Convention as soon as possible and States parties to implement it effectively;

41. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including by ensuring the effective use of

[18] Resolution 65/277, annex.
[19] Resolution 66/2, annex.
[20] Resolution 66/288, annex.
[21] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[22] Ibid., vol. 2349, No. 42146.

the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office with the necessary resources;

42. *Reaffirms* the request to the High Commissioner, in mainstreaming the right to development, to effectively undertake activities aimed at strengthening the global partnership for development among Member States, development agencies and the international development, financial and trade institutions and to reflect those activities in detail in his next report to the Human Rights Council;

43. *Calls upon* the United Nations funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

44. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, the specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

45. *Supports* the decision of the Human Rights Council, as part of the activities to commemorate the thirtieth anniversary of the Declaration on the Right to Development, to request the High Commissioner to seek the views of Member States in preparing a paper on the realization and implementation of the right to development, as elaborated in the Declaration, in particular its article 4;

46. *Decides* to hold a high-level segment on the right to development during the general debate at its seventy-first session;

47. *Encourages* Member States, individually and collectively, to convene events with their own resources for the commemoration of the thirtieth anniversary of the Declaration on the Right to Development;

48. *Also encourages* Member States to give particular consideration to the right to development in the implementation of the 2030 Agenda for Sustainable Development;

49. *Encourages* relevant bodies of the United Nations system, within their respective mandates, including United Nations funds and programmes and the specialized agencies, relevant international organizations, including the World Trade Organization and relevant stakeholders, including civil society organizations, to give due consideration to the right to development in the implementation of the 2030 Agenda for Sustainable Development, to contribute further to the work of the Working Group and to cooperate with the High Commissioner in the fulfilment of his mandate with regard to the implementation of the right to development;

50. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-first session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chair-Rapporteur of the Working Group to present an oral report and to engage in an interactive dialogue with the Assembly at its seventy-first session.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Cuba:* draft resolution

Human rights and cultural diversity

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] as well as other pertinent human rights instruments,

Recalling also its resolutions 54/160 of 17 December 1999, 55/91 of 4 December 2000, 57/204 of 18 December 2002, 58/167 of 22 December 2003, 60/167 of 16 December 2005, 62/155 of 18 December 2007, 64/174 of 18 December 2009, 66/154 of 19 December 2011 and 68/159 of 13 December 2013, and recalling further its resolutions 54/113 of 10 December 1999, 55/23 of 13 November 2000 and 60/4 of 20 October 2005 concerning the United Nations Year of Dialogue among Civilizations,

Noting that numerous instruments within the United Nations system promote cultural diversity, as well as the conservation and development of culture, in particular the Declaration of the Principles of International Culture Cooperation proclaimed on 4 November 1966 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fourteenth session,[3]

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Fourteenth Session, Paris, 1966, Resolutions*.

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Taking note of the report of the Secretary-General,[4] which highlighted the importance of preserving and protecting a rich cultural diversity and reflected different experiences and perspectives in this regard,

Recalling that, as stated in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to its resolution 2625 (XXV) of 24 October 1970, States have the duty to cooperate with one another, irrespective of the differences in their political, economic and social systems, in the various spheres of international relations, in the promotion of universal respect for and observance of human rights and fundamental freedoms for all, and in the elimination of all forms of racial discrimination and all forms of religious intolerance,

Welcoming the adoption, by its resolution 56/6 of 9 November 2001, of the Global Agenda for Dialogue among Civilizations,

Welcoming also the contribution of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, the Durban Review Conference, held in Geneva from 20 to 24 April 2009, and the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, held on 22 September 2011, to the promotion of respect for cultural diversity,

Welcoming further the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization,[5] together with its Action Plan,[6] adopted on 2 November 2001 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its thirty-first session, in which member States invited the United Nations system and other intergovernmental and non-governmental organizations concerned to cooperate with the United Nations Educational, Scientific and Cultural Organization in the promotion of the principles set forth in the Declaration and its Action Plan, with a view to enhancing the synergy of actions in favour of cultural diversity,

Recalling the Ministerial Meeting on Human Rights and Cultural Diversity of the Movement of Non-Aligned Countries, held in Tehran on 3 and 4 September 2007,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

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[4] A/70/167.

[5] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October-3 November 2001*, vol. 1 and corrigendum, *Resolutions*, sect. V, resolution 25, annex I.

[6] Ibid., annex II.

Expressing concern over the adverse impacts of lack of respect for and recognition of cultural diversity on human rights, justice, friendship and the fundamental right to development,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Recognizing also the contribution that diverse cultures have been making to the development and promotion of human rights and fundamental freedoms,

Taking into account that a culture of peace actively fosters non-violence and respect for human rights and strengthens solidarity among peoples and nations and dialogue between cultures,

Reaffirming that discriminatory treatment against different cultures and religions is detrimental to the principle of the equality of human beings,

Recognizing that all cultures and civilizations share a common set of universal values,

Recognizing also that the promotion of the rights of indigenous people and their cultures and traditions will contribute to the respect for and observance of cultural diversity among all peoples and nations,

Considering that tolerance of cultural, ethnic, religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred, violence and extremism among peoples and nations throughout the world,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, and convinced that, in their rich variety and diversity, and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind,

Convinced that the promotion of cultural pluralism and tolerance towards and dialogue among various cultures and civilizations would contribute to the efforts of all peoples and nations to enrich their cultures and traditions by engaging in a mutually beneficial exchange of knowledge and intellectual, moral and material achievements,

Acknowledging the diversity of the world, recognizing that all cultures and civilizations contribute to the enrichment of humankind, acknowledging the importance of respect and understanding for religious and cultural diversity throughout the world, and, in order to promote international peace and security, committing itself to advancing human welfare, freedom and progress everywhere, as well as to encouraging tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples,

1. *Affirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

2. *Emphasizes* the important contribution of culture to development and the achievement of national development objectives and internationally agreed development goals, including the Millennium Development Goals;

3. *Welcomes* the adoption on 25 September 2015 of the 2030 Agenda for Sustainable Development,[7] in which Member States acknowledged the natural and cultural diversity of the world and recognized that all cultures and civilizations can contribute to, and are crucial enablers of, sustainable development;

4. *Recognizes* the importance given to cultural diversity in the 2030 Agenda for Sustainable Development, including in Sustainable Development Goal 4, related to ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all;

5. *Also recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

6. *Affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

7. *Expresses its determination* to prevent and mitigate cultural homogenization in the context of globalization, through increased intercultural exchange guided by the promotion and protection of cultural diversity;

8. *Affirms* that intercultural dialogue essentially enriches the common understanding of human rights and that the benefits to be derived from the encouragement and development of international contacts and cooperation in the cultural fields are important;

9. *Welcomes* the recognition at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of the necessity of respecting and maximizing the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and among communities and nations, in particular through public information and educational programmes to raise awareness and understanding of the benefits of cultural diversity, including programmes in which the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society;

10. *Emphasizes* that dialogue among religions, cultures and civilizations on the basis of equal dignity should be enhanced, through supporting efforts made at the international level towards reducing confrontation, suppressing xenophobia and promoting respect for diversity, and in that regard also emphasizes that States should oppose all attempts at uniculturalism or the imposition of particular models of social or cultural systems and promote dialogue among civilizations, a culture of peace and interfaith dialogue, which will contribute towards peace, security and development;

11. *Welcomes* the activities of the Non-Aligned Movement Centre for Human Rights and Cultural Diversity in Tehran, and acknowledges the important role that

[7] Resolution 70/1.

the Centre plays in the promotion of the universality of all human rights as well as their realization;

12. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural background, advancing the application and enjoyment of universally accepted human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

13. *Emphasizes* that the promotion of cultural pluralism and tolerance at the national, regional and international levels is important for enhancing respect for cultural rights and cultural diversity;

14. *Also emphasizes* that tolerance and respect for diversity facilitate the universal promotion and protection of human rights, including gender equality and the enjoyment of all human rights by all, and underlines the fact that tolerance and respect for cultural diversity and the universal promotion and protection of human rights are mutually supportive;

15. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

16. *Calls upon* States, relevant international organizations and non-governmental organizations to support and embark on intercultural initiatives on human rights in order to promote all human rights, thereby enriching their universality;

17. *Urges* States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization and exclusion of, and discrimination against, specific sectors of society;

18. *Calls upon* States, international organizations and United Nations agencies, and invites civil society, including non-governmental organizations, to recognize and promote respect for cultural diversity for the purpose of advancing the objectives of peace, development and universally accepted human rights;

19. *Stresses* the necessity of freely using the media and new information and communications technologies to create the conditions for a renewed dialogue among cultures and civilizations;

20. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to bear in mind fully the issues raised in the present resolution in the course of its activities for the promotion and protection of human rights;

21. *Also requests* the Office of the High Commissioner, and invites the United Nations Educational, Scientific and Cultural Organization, to support initiatives aimed at promoting intercultural dialogue on human rights;

22. *Urges* relevant international organizations to conduct studies on how respect for cultural diversity contributes to fostering international solidarity and cooperation among all nations;

23. *Requests* the Secretary-General to prepare a report on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels regarding the recognition and importance of cultural diversity among all peoples and nations in the world and taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, and to submit the report to the General Assembly at its seventy-second session;

24. *Decides* to continue consideration of the question at its seventy-second session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".